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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,789	03/11/2004	Peter Mullen	41826.8044US1	5629
45979	7590	12/23/2005	EXAMINER	
PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247			SINGH, RACHNA	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,789

Applicant(s)

MULLEN ET AL.

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-23,25-43 and 45-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 36-39; 42-43, 45 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6-23, 25-35, 40,41,46 and 47 is/are rejected.
- 7) ☒ Claim(s) 6,7,14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: After-Final Arguments submitted 12/05/05.

2. Claims 1-2, 4, 6-23, 25-43, and 45-47 are pending. Claims 1, 9, 16, 25, 36, 40, 42, 46, and 47 are independent claims.

Allowable Subject Matter

3. Claims 36-39, 42-43, and 45 are allowed.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 16-23 and 25-35 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims are directed to a method that is not necessarily being **tangibly embodied** in a manner so as to be executable. Examiner recommends the following language "A computer-implemented method to dynamically display temporary gridlines in a drawing, the method comprising. . ."

Claim Objections

6. Claims 6-7 and 14-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 16-23 and 25-35 would be allowable if amended to overcome the rejections under 35 U.S.C. 101 as applied above. The claims are currently rejected, but

would be allowable if rewritten based at least in part on Examiner's suggestion to overcome the 101 rejection as stated in the above paragraph.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 2, 4, 8-13, 40-41, and 46-47 are rejected under 35 U.S.C. 102(e) as being anticipated by George, US 6,065,021, 05/16/00 (filed 04/07/98).

In reference to claims 1, 9-10, 40-41, and 46-47 George teaches a method for alignment of graphical elements in an electronic document. George discloses the following:

-Aligning objects to other elements in the electronic document. Smart guides engine automatically provides alignments to other elements in the document in response to transformations or manipulations caused by the use of a tool. The smart guide receives cursor position information and monitors the activities of the tool executing in the application, waiting for a manipulation or other transformation of an object that may require alignment. The smart guide engine includes an alignment processor and a constraint system. The alignment includes a gridline. See column 3, lines 12-45. The grid line alignments return candidate alignment when an alignment involving the

intersections of two or more gridlines is detected. See column 4, lines 1-14. Compare to ***“identifying a first object and a second object previously place don the display within a band of a selected object as the selected object is being dragged into a location on a display; determining the placement of a first gridline aligned to the first object and a second gridline aligned to the second object;”***

-An alignment processor which evaluates individual alignments and returns the best alignment. A current cursor position returns a selected position on the object being transformed by the current tool. The position is the (X,Y) coordinate form. The constraint system includes a grid line engine to determine the alignment of the object as it is being positioned. The graphical object engine supports snapping the cursor to the edge of an object existing tin the electronic document. The graphical object engine determines all candidate edges and points for alignment by querying the application to locate objects which are within a given distance of the location of the cursor. The candidate points for alignments are determined based on the object geometry as well as the location of the object being transformed. The application can include tools for defining a grid of horizontal and vertical lines for application to an electronic document. The grid line engine determines the position of each grid line and evaluates the grid lines as candidates for alignment. The grid line engine receives radius information and current cursor location and outputs a list of all possible alignments to the grid lines of the document. See page 5, lines 56-67 and column 6, lines 1-26. Compare to ***“determining placement of a first gridline . . .displaying at least one of the first***

gridline and the second gridline in response to the selected object being dragged to the location . . .and the selected object”.

In reference to claim 2, George teaches the smart guide receives cursor position information and monitors the activities of the tool executing in the application and waits for a manipulation or other transformation of an object that may require alignment such as an object being dragged. See column 3, lines 12-45

In reference to claim 4, George discloses the graphical object engine supports snapping the cursor to the edge of an object existing in the electronic document. The graphical object engine determines all candidate edges and points for alignment by querying the application to locate objects which are within a given distance of the location of the cursor. The candidate points for alignments are determined based on the object geometry as well as the location of the object being transformed. The application can include tools for defining a grid of horizontal and vertical lines for application to an electronic document. The grid line engine determines the position of each grid line and evaluates the grid lines as candidates for alignment. The grid line engine receives radius information and current cursor location and outputs a list of all possible alignments to the grid lines of the document. See page 5, lines 56-67 and column 6, lines 1-26.

In reference to claim 8, George teaches the graphical object engine determines all candidate edges and points for alignment by querying the application to locate objects which are within a given distance of the location of the cursor. See page 5, lines 56-67 and column 6, lines 1-26.

In reference to claim 11, George teaches the application can include tools for defining a grid of horizontal and vertical lines for application to an electronic document. The grid line engine determines the position of each grid line and evaluates the grid lines as candidates for alignment. The grid line engine receives radius information and current cursor location and outputs a list of all possible alignments to the grid lines of the document. See page 5, lines 56-67 and column 6, lines 1-26.

In reference to claim 12, George discloses the graphical object engine supports snapping the cursor to the edge of an object existing in the electronic document. The graphical object engine determines all candidate edges and points for alignment by querying the application to locate objects which are within a given distance of the location of the cursor. The candidate points for alignments are determined based on the object geometry as well as the location of the object being transformed. The application can include tools for defining a grid of horizontal and vertical lines for application to an electronic document. The grid line engine determines the position of each grid line and evaluates the grid lines as candidates for alignment. The grid line engine receives radius information and current cursor location and outputs a list of all possible alignments to the grid lines of the document. See page 5, lines 56-67 and column 6, lines 1-26.

In reference to claim 13, George discloses the graphical object engine supports snapping the cursor to the edge of an object existing in the electronic document. The graphical object engine determines all candidate edges and points for alignment by querying the application to locate objects which are within a given distance of the

location of the cursor. The candidate points for alignments are determined based on the object geometry as well as the location of the object being transformed. The application can include tools for defining a grid of horizontal and vertical lines for application to an electronic document. The grid line engine determines the position of each grid line and evaluates the grid lines as candidates for alignment. The grid line engine receives radius information and current cursor location and outputs a list of all possible alignments to the grid lines of the document. See page 5, lines 56-67 and column 6, lines 1-26.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bronfeld et al.	US 6,308,144
Wiley et al.	US 6,724,392
Joseloff	US 5,444,929

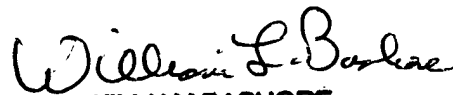
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS
12/19/05


WILLIAM BASHORE
PRIMARY EXAMINER
12/21/2005